



SOUTH CAROLINA STATE DEPARTMENT OF EDUCATION

2016

South Carolina Public Charter School

Application Guidance

(For charter schools that plan to open for the 2017–18 school year)

Deadline for Receipt of Applications:
February 1, 2016

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Table of Contents

PART I: General Information	1
A. Introduction/Background	1
B. Definitions	1
C. Purpose of a Charter School	3
D. Eligible Applicants.....	3
E. Technical Assistance for Applicants.....	3
F. Deadline and Submission Procedures	4
G. Review and Selection Process.....	5
H. Charter Contract and Ongoing Authorization of Charter.....	5
PART II: Application Overview, Content, and Instructions.....	7
A. Application Overview	7
B. Application Narrative Format	9
C. Application Narrative Content	9
1. Executive Summary	10
2. Mission Statement.....	12
3. Evidence of Need and Support.....	13
4. Enrollment	15
5. Educational Program.....	18
6. Goals, Objectives, and Evaluations	22
7. Serving Students with Special Needs.....	24
8. Student Conduct, Rights, and Responsibilities	26
9. Governance.....	28
10. Operations	32
11. Budget and Finance	34
12. Employees	37
13. Insurance Coverage	39
14. Transportation	40
15. Facilities	41
16. Education/Charter Management Contracts.....	43
D. Application Appendices	45
Sample Online Application Pages.....	48
Application Cover Page	48
Statement of Assurances for Charter Schools.....	49
Signature Certification Page	51
Student Enrollment Projections for 10-Year Charter	52
Charter School Facilities Approval Process.....	53
SC Virtual School Curriculum Review Information.....	55
Online Course Review Instrument	56

PART I: General Information

A. Introduction/Background

In 1996, the South Carolina Legislature passed the Charter Schools Act, thereby providing citizens the opportunity to apply to operate a public school. The focus of charter schools is to provide quality educational choices for parents and students. This application outlines the necessary components to propose, receive approval for, and implement a high quality charter school.

This application guidance must be used to develop a complete application for charter schools that plan to open for the 2017–18 school year or later. All charter school applications must comply fully with the South Carolina Charter Schools Act, S.C. Code Ann. § 59-40-10 *et seq.*, and the Procedures and Standards for Review of Charter School Applications (2 S.C. Code Ann. Regs. 43-601 (2013)).

Application sections must be presented as outlined in this application guidance and labeled accordingly. It is important to remember that each of the sections relate to one another. For instance, educational program components should align with the proposed budget. Thus, a completed application should readily reflect that all of its sections, irrespective of their individual focus, coalesce to form a comprehensive and viable plan to open and sustain a high-quality charter school.

B. Definitions

The following definitions, found in the South Carolina Charter Schools Act, S.C. Code Ann. § 59-40-40 *et seq.*, are included to assist the applicant in understanding various terms used in the application process.

Applicant means the person who or nonprofit corporate entity that desires to form a charter school and files the necessary application with the South Carolina Public Charter School District Board of Trustees, the local school board of trustees in which the charter school is to be located, or the board of trustees or area commission of a public or independent institution of higher learning. The applicant also must be the person who or the nonprofit corporate entity that applies to the Secretary of State to organize the charter school as a nonprofit corporation.

Certified teacher means a person currently certified by the State of South Carolina to teach in a public elementary or secondary school or who currently meets the qualifications outlined in S.C. Code Ann. § 59-25-115.

Charter committee means the governing body of a charter school formed by the applicant to govern through the application process and until the election of a board of directors is held. After the election, the board of directors of the corporation must be organized as the governing body, and the charter committee is dissolved.

Charter school means a public, nonreligious, non-home-based, nonprofit corporation forming a school that operates by sponsorship of a public school district, the South Carolina Public

Charter School District (SCPCSD), or a public or independent institution of higher learning, but is accountable to the school board of trustees or, in the case of technical colleges, the area commission of the sponsor which grants its charter. Nothing in this chapter prohibits charter schools from offering virtual services pursuant to state law and subsequent regulations defining virtual schools.

A charter school

1. is, for purposes of state law and the state constitution, considered a public school and part of the SCPCSD, the local school district in which it is located, or is sponsored by a public or independent institution of higher learning;
2. is subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services; however, an applicant may seek to form a single-gender charter school without regard to the gender makeup of that proposed charter school;
3. must be administered and governed by a governing body in a manner agreed to by the charter school applicant and the sponsor, the governing body to be selected as provided in S.C. Code Ann. § 59-40-50(B)(9);
4. may not charge tuition or other charges pursuant to S.C. Code Ann. § 59-19-90(8) except as may be allowed by the sponsor and is comparable to the charges of the local school district in which the charter school is located; and
5. is subject to the same fixed asset inventory requirements as are traditional public schools.

Charter school contract means a fixed term, renewable contract between a charter school and a sponsor that outlines the roles, powers, responsibilities, and performance expectations for each party to the contract.

Local education agency (LEA) is the sponsor of a charter school, and a charter school is a school within that LEA. The sponsor retains responsibility for special education and shall ensure that students enrolled in its charter schools are served in a manner consistent with LEA obligations under applicable federal, state, and local law.

Local school district means any school district in the State, except the SCPCSD, and does not include special school districts.

Noncertified teacher means an individual considered appropriately qualified for the subject matter taught and who has completed at least one year of study at an accredited college or university and meets the qualifications outlined in S.C. Code Ann. § 59-25-115.

Resident public school means the school, other than a charter school, within whose attendance boundaries the charter school student's custodial parent or legal guardian resides.

Sponsor means the SCPCSD Board of Trustees, the local school board of trustees in which the charter school is to be located, and, as provided by law, a public institution of higher learning

as defined in S.C. Code Ann. § 59-103-5, or an independent institution of higher learning as defined in S.C. Code Ann. § 59-113-50, from which the charter school applicant requested its charter and which granted approval for the charter school's existence. Only those public or independent institutions of higher learning who register with the South Carolina Department of Education (SCDE) may serve as charter school sponsors, and the SCDE shall maintain a directory of those institutions. The sponsor of a charter school is the charter school's LEA, and a charter school is a school within that LEA. The sponsor retains responsibility for special education and shall ensure that students enrolled in its charter schools are served in a manner consistent with LEA obligations under applicable federal, state, and local law.

C. Purpose of a Charter School

The purpose of a charter school is to create a legitimate avenue for parents, teachers, and community members to take responsible risks and create new, innovative, and more flexible ways of educating all children within the public school system as defined in S.C. Code Ann. § 59-40-20. The intent of Section 59-40-20 is to

1. improve student learning;
2. increase learning opportunities for students;
3. encourage the use of a variety of productive teaching methods;
4. establish new forms of accountability for schools;
5. create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;
6. assist South Carolina in reaching academic excellence; and
7. create new, innovative, and more flexible ways of educating children within the public school system, with the goal of closing achievement gaps between low-performing student groups and high-performing student groups.

D. Eligible Applicants

An eligible applicant is any individual or group who desires to form a charter school and files the necessary application for review by the proposed sponsor (the local school district, the SCPCSD, or a public or independent institution of higher learning). The applicant must also be the same entity that is registered as a nonprofit corporation with the South Carolina Secretary of State to organize the charter school. Note that only public or independent institutions of higher learning that have registered with the SCDE may serve as a charter school sponsor. A list of higher learning sponsors can be found at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/charter-school-sponsors-authorizers/>.

E. Technical Assistance for Applicants

A technical assistance session for charter school developers will be provided by the SCDE. Information on this session and notice of additional training dates, times, and locations will be posted on the SCDE website at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/>. Technical assistance is available as needed regarding charter school law and the charter school application by contacting the SCDE Charter Schools Program at 803-734-2781.

F. Deadline and Submission Procedures

Letter of Intent Submission

At least 90 days prior to submitting an application, the applicant shall submit a letter of intent to the board of trustees or area commission from which it is seeking sponsorship, with a copy e-mailed to the **South Carolina Department of Education's Office of School Transformation at CharterSchools@ed.sc.gov** or mailed to **Charter Schools Program, 1429 Senate Street, Suite 603-D, Columbia, SC 29201**. A sample letter of intent can be found at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/charter-school-application-information/>.

Application Submission

Applicants must submit a completed application packet by **February 1, 2016**, for charter schools that plan to open for the 2017–18 school year. Applications received *after* the deadline **will not** be considered for a 2017–18 opening.

An applicant shall submit the following:

- One complete version of the application to the board of trustees or area commission from which it is seeking sponsorship. **Applicants should verify with the proposed sponsor whether this submission should be an electronic or paper copy.**
- **One complete paper copy to the South Carolina Department of Education's Office of School Transformation, Charter Schools Program, 1429 Senate Street, Suite 603-D, Columbia, SC 29201.**
- In the case of the SCPCSD or a public or independent institution of higher learning sponsor, the applicant shall provide notice of the application to the local school board of trustees in which the charter school will be located for informational purposes only.
- The applicant shall notify the local delegation of a county in which a proposed charter school is to be located upon submission of a charter school application and shall also provide a copy of the charter school application upon request by a member of the local delegation.

All charter school proposal materials submitted to the SCDE and proposed sponsor become public records. For public transparency, the SCDE will post all letters of intent and hearing dates on the SCDE website.

Only applications that are complete and follow these guidelines will be considered. Applications must present information in the order specified to be deemed complete; applications that are **not complete** and that **do not** present information in the order specified in these guidelines **may not be reviewed**. Applicants may amend applications after submission if the sponsor determines that an application does not meet one or more of the standards, and it may request clarifying information from the applicant prior to or during the hearing. The sponsor has the authority to incorporate this clarifying information into the application. The school district or the public or independent institution of higher learning from which the applicant is seeking sponsorship may request clarifying information from the applicant.

Applicants must submit the following application packet to their proposed sponsor and the SCDE:

1. Application Cover Sheet (accessible at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/charter-school-application-information/>)
2. Application Narrative (including the table of contents)
3. Appendices labeled as outlined in Part II

G. Review and Selection Process

All charter school applications must be reviewed by the sponsor to determine compliance with the standards established in the regulations and SC Charter Act. The applications submitted to the sponsor must demonstrate compliance with each standard. The sponsor must make a determination to either approve or deny the charter in a public hearing within 90 days of receiving a completed application. If there is no ruling within 90 days, the application is considered approved. If the sponsor determines the application is compliant with state charter law, the applicant will be notified by letter and a charter contract will be negotiated. Once the application has been approved by the board of trustees or area commission, the charter school may open at the beginning of the following year.

If the sponsor determines that an application does not meet one or more of the standards, it may request clarifying information from the applicant prior to or during the hearing. The sponsor has the authority to incorporate this clarifying information into the application. The SCDE shall provide guidance on compliance to both sponsors and applicants.

A board of trustees or area commission shall deny an application only if the application does not meet the requirements specified in S.C. Code Ann. § 59-40-50 or 59-40-60, fails to meet the spirit and intent of this chapter; or adversely affects, as defined in regulation, the other students in the district in which the charter school is to be located; or if, based on the totality of information provided by the applicant, the board of trustees or area commission determines that the applicant has failed to demonstrate a substantial likelihood that it has the capacity to establish a viable school based on national industry standards of quality charter school authorization. It shall provide, within ten days of the public hearing, a written explanation of the reasons for denial, citing specific standards related to provisions of S.C. Code Ann. § 59-40-50 or 59-40-60 that the application violates. This written explanation immediately must be sent to the charter committee and filed with the State Board of Education.

If an application is denied by the proposed sponsor, the applicant may appeal to the Administrative Law Courts (ALC).

H. Charter Contract and Ongoing Authorization of Charter

Upon recommendation for approval by the sponsor (the local school district, the SCPCSD, or the board of trustees or area commission of a public or independent institution of higher learning), the proposed sponsor and the applicant will enter into a contractual agreement.

In compliance with S.C. Code Ann. § 59-40-60 *et seq.*, the contract between the charter school and the sponsor must

- reflect all provisions outlined in the application as well as the roles, powers, responsibilities, and performance expectations for each party to the contract;
- include the proposed enrollment procedures and dates of the enrollment period of the charter school; and
- contain all agreements regarding the release of the charter school from school district policies.

The contract will state that student performance of all students described in Section 1111(b)(2)(C)(v) of the federal Elementary and Secondary Education Act (ESEA) is the most important factor when determining to renew or revoke a school's charter.

Furthermore, the following section was added to State Board of Education Regulation 43-601 to address federal Charter School Program Assurances 3B:

Charter schools must provide evidence of increased student academic achievement for all groups of students described in Section 1111(b)(2)(C)(v) of the ESEA. Authorizers must use increases in student academic achievement for all students described in ESEA as the most important factor when determining to renew or revoke a school's charter. Authorizers and charters must enter a contractual agreement that student performance of all students described in ESEA is the most important factor when determining to renew or revoke a school's charter. (2 S.C. Code Ann. Regs. 43–601(VII)(B)(2))

Please note that a charter application, if approved, will constitute an agreement between the charter school and its sponsor. In accordance with the law, all provisions of the charter application must be included in the contract that must be executed between an approved charter school and its sponsor. The SCDE provides a contract template to be used by charter schools and the sponsor. This template must serve as a foundation for the development of a contract between the charter school and the sponsor and is posted on the SCDE website at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/>.

A material revision of the terms of the contract between the charter school and the sponsor may be made only with the approval of both parties.

PART II: Application Overview, Content, and Instructions

Charter schools that plan to open for the 2017-18 school year must submit an application presented in the order outlined below and labeled accordingly. Applications should comply fully with the South Carolina Charter Schools Act (S.C. Code Ann. § 59-40-10 *et seq.*) and the Procedures and Standards for Review of Charter School Applications (2 S.C. Code Ann. Regs. 43-601 (2015)).

Start-up schools are not required to complete the sections noted for conversion schools. Conversion schools must complete all sections. Conversion schools are those where parents are requesting the school no longer be under the leadership of the residential district. A conversion school can only apply to the local school district in which it is located.

Applicants should use the following overview as a checklist to ensure that they submit a complete application with items labeled accordingly and presented in the order outlined.

A. Application Overview

- ☐ Application Cover Page (accessible <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/> see page 48 for sample).
- ☐ Application Narrative (with table of contents)
 - 1. Executive Summary
 - 2. Mission Statement
 - 3. Evidence of Need and Support
 - 4. Enrollment
 - 5. Educational Program
 - 6. Goals, Objectives, and Evaluations
 - 7. Serving Students with Special Needs
 - 8. Student Discipline, Expulsion, or Suspension
 - 9. Governance
 - 10. Operations
 - 11. Budget and Finance
 - 12. Employees
 - 13. Insurance Coverage
 - 14. Transportation
 - 15. Facilities
 - 16. Education/Charter Management Contracts (if applicable)
- ☐ Appendices (with a table of contents)
 - A. Signature Certification Page (page 51)
 - B. Evidence of Support
 - C. Conversion School Support (if applicable)
 - D. Private School Documentation (if applicable)

- E. Letter(s) from Sponsoring District Regarding Desegregation Order
- F. School Calendar and Daily Schedule for the Academic Year
- G. Virtual School List of Courses (if applicable)
- H. Supporting Documents for the described Educational Program
- I. List of Teaching Positions
- J. Agreement with Sponsoring District for Special Education Services (if applicable)
- K. Draft Discipline Policy (if applicable)
- L. Charter Committee
- M. Bylaws
- N. Articles of Incorporation
- O. Organizational Chart
- P. Sample Job Descriptions
- Q. School Start-Up Plan
- R. Student Enrollment Projection Form
- S. SCDE Per Pupil Estimate Review
- T. Five-Year Budget (Excel spreadsheet)
- U. Ten-Year Budget Plan (Excel spreadsheet)
- V. Memorandums of Agreement for Negotiated Services (if applicable)
- W. Documentation of Any “Soft Funds”
- X. Letter of Agreement from Sponsor Regarding Compliance with S.C. Code Ann. § 59-25-410 *et seq.* (2004) (if applicable)
- Y. Workers’ Compensation Insurance Description and Amounts
- Z. Applicable Insurance Documentation
- AA. Transportation Services Contract (if applicable)
- BB. Floor Plan of Identified Facility (if applicable)
- CC. Proposed Lease or Rental Agreement (if applicable)
- DD. Documentation from the SCDE’s Office of School Facilities (if applicable)
- EE. Documentation from the SCDOT School Traffic Engineering (if applicable)
- FF. Proposed Education/Charter Management Organization (EMO/CMO) Contract (if applicable)
- GG. Copy of EMO/CMO SC Business License
- HH. Draft Copy of Employee Contract
- II. Copy of EMO/CMO Employee Policy Manual

B. Application Narrative Format

Required Font/Size	Times New Roman/12 point. Headings, subheadings, and charts may use alternate font and size where appropriate.
Margins	One inch on all sides on 8.5" x 11" paper.
Page Numbers	Numbered bottom-right corner (number pages consecutively).
Header	Include the name of the proposed charter school at the top right of each page (may be placed at the .5-inch top margin).
Spacing	Use double-spacing for the narrative. Bulleted lists and charts may be single-spaced. The executive summary may be single-spaced.
Page Limitations	Entire narrative should not exceed 125 pages in length.

C. Application Narrative Content

Present the application narrative as outlined in the 16 sections below. Each section begins with an overview of relevant application requirements and concludes with a bulleted list of requested items, any corresponding appendices, and any evaluation criteria.

Identify each section using the subheading provided. Sections may not be combined. Incomplete applications will not be considered. Include a table of contents as the first page of the application narrative.

1. Executive Summary

The executive summary is not to exceed **two (2) pages, single-spaced**.

Narrative Requirements

Include the following in this section:

- A brief description of the proposed charter school's philosophy for educating students.
- A brief summary of the proposed charter's plan to provide new, innovative, and more flexible ways to educate children.
- A brief explanation of the key programmatic features the school will implement in order to accomplish its mission.
- Any unique features, such as a non-traditional school year, longer school day, key partner organizations, multiple campuses, school culture, etc.
- The proposed charter school's grade levels to be served, the grade levels upon opening, and the growth plan (if the school does not plan to initially open with all grade levels).
- The size of the school at full capacity, including the number of classes per grade level and the number of students per class.
- The student body to be served, including any key demographic data, the targeted geographical area, etc.
- A brief summary of the evidence of a community need for a school of this nature.
- If the proposed charter school intends to contract with an education management organization (EMO) or a charter management organization (CMO), include a statement indicating the name of the management organization. Applicants for whom this is applicable are required to complete section 16, Education/Charter Management Contracts, below.

Appendix Documents

No documents are needed here.

Evaluation Criteria

A response that meets the standard will

- Provide a concise description of the proposed charter school's philosophy for educating students.
- Include a brief, yet thorough, summary of the proposed charter's plan to provide new, innovative, and more flexible ways to educate children.
- Provide a brief explanation of the key programmatic features the school will implement in order to accomplish its mission.
- Include any unique features, such as a non-traditional school year, longer school day, key partner organizations, multiple campuses, school culture, etc.
- Outline the proposed charter school's grade levels to be served, the grade levels upon opening, and the growth plan (if the school does not plan to initially open with all grade levels).
- Describe the size of the school at full capacity, including the number of classes per grade level and the number of students per class.
- Describe the student body to be served, including any key demographic data, the targeted geographical area, etc.

- Include a brief summary of the evidence of a community need for a school of this nature.
- Include a statement indicating the name of the management organization if the proposed charter school intends to contract with an EMO or a CMO.

No appendices are required for this section.

2. Mission Statement

The mission statement must be consistent with the principles of the General Assembly's purposes pursuant to S.C. Code Ann. § 59-40-20. The mission statement should focus on high-quality educational outcomes for students that are likely to result in increased student achievement and closing existing achievement gaps. Throughout the application, it must be evident that the mission is the prominent driving force and is reflected in the goals and objectives, the educational program, governance, etc.

Narrative Requirements

Include the following in this section:

- Include a clear, focused mission statement for the charter school, which must be consistent with the principles of the General Assembly's purposes pursuant to S.C. Code Ann. § 59-40-20.
- Focus on high-quality educational outcomes that are likely to result in increased student achievement and closing existing achievement gaps.

Appendix Documents

No documents are needed here.

Evaluation Criteria

A response that meets the standard will

- Include a clear, focused mission statement for the charter school, which must be aligned with the principles of the General Assembly's purposes pursuant to S.C. Code Ann. § 59-40-20.
- Focus on high-quality educational outcomes that are likely to result in increased student achievement and closing existing achievement gaps.

No appendices are required for this section.

3. Evidence of Need and Support

The application must include evidence that an adequate number of parents or legal guardians with students eligible to attend the proposed school pursuant to S.C. Code Ann. § 59-40-50 support the formation of the charter school and justify the projected per pupil allocation in the application budget. The evidence must indicate substantial support that the school will reach its first year's projected enrollment, which is critical to producing a fiscally sound budget. Evidence may include, but is not limited to, documentation of attendance and support at community meetings and survey results. If the social situation of the proposed school's targeted population precludes establishing parental support, evidence should demonstrate support from community groups and agencies, including letters from these entities that specify the level of their commitment to the school. **However, a list of prospective or tentatively enrolled students or prospective employees is not required per S.C. Code Ann. § 59-40-60.**

Outreach activities should be diverse and designed to reach all students in the community, thereby ensuring equal access. Specify the types of outreach activities that have been made to at-risk populations, especially if the applicant's mission is to serve at-risk student populations. Letters of support from community leaders, business people, or elected officials should be included in the appropriate appendix item. These letters should state why the individual believes the proposed new charter school would best serve the community. If the social situation of the school's targeted population precludes establishing parental support, evidence should demonstrate support from community groups and agencies, including letters from these entities that specify the level of their commitment to the school.

If the school is a proposed conversion charter, the application must also include evidence that two-thirds of the faculty and instructional staff voted to support the filing of the application and evidence that two-thirds of the voting parents or legal guardians voted to support the filing of the application (see Appendix C below). Parents or guardians shall have one vote for each of their children enrolled in the school (i.e., each student may be represented by only one vote). All parents or legal guardians of students enrolled in the school must be given the opportunity to vote. A conversion school must offer the same grades or non-graded education appropriate for the same ages and education levels of pupils as offered by the school immediately before conversion and may also provide additional grades and further educational offerings. The application for the school must be submitted by the principal or by his or her designee, who thus will be considered the applicant.

Narrative Requirements

Include the following in this section:

- Evidence that an adequate number of parents or legal guardians with students eligible to attend the proposed school pursuant to S.C. Code Ann. § 59-40-50 support the formation of the charter school and justify the projected per pupil allocation in the application budget. Include a table indicating interest documented by grade level for the first year of operation. Do not include names of individual students.
- A description of the type of outreach the charter committee conducted to make the student population and their families aware of the proposed charter school and the outcomes of that outreach.

- Information on community members, parents, and leaders who publicly support the proposed school and their role in the development of the school and application.
- A description of partnerships or plans for community involvement along with the purpose and expectation
- Evidence demonstrating assurance of community partnerships, if applicable.
- If you are a private school, describe the need/evidence in the community to support converting to a charter school.

Appendix Documents

In the **appendices**, include the following corresponding information:

- Evidence of Support—letters or other documents indicating support from parents and the community (do not include a list of potential students). One method that may be used to protect the identity of potential students is to submit the information to an independent third party of the applicant's choosing and have them provide a notarized affidavit certifying that there is documented family interest in enrolling their child in the school.
- Conversion School Support (if applicable)—evidence that two-thirds of the faculty, instructional staff, and parents voted to support filing the application to convert the school from a traditional school to a charter school
- Private Schools—evidence that the enrollment of the converted private school for the most recently completed school term before the date of the proposed conversion to a charter school reflects the racial composition of the local school district in which the converted private school is located

Evaluation Criteria

A response that meets the standard will

- Demonstrate that an adequate number of parents or legal guardians with students eligible to attend the proposed school pursuant to S.C. Code Ann. § 59-40-50 support the formation of the charter school and justify the projected per pupil allocation in the application budget. The evidence presented also indicates that the school will reach its first year's projected enrollment.
- Provide **sufficient evidence** of community support for the school and clearly define any community partnerships.
- Provide a **full** description of all outreach activities designed to reach a broad audience.

Appendices have all items, and they are fully developed:

- Letters or other documents indicating support from parents and community.
- Conversion school support (if applicable).
- Evidence of enrollment and racial composition of converted private school (if applicable).
- An independent third party notarized affidavit may be submitted documenting actual family interest in enrolling their child in the school (if applicable).

4. Enrollment

The admission policies and procedures must reflect compliance with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services.

The admission policies and procedures must provide that, subject to space limitations, the charter school admits all students who are eligible to attend public school in the school district where the charter school is operating. For schools sponsored by the SCPCSD and the board of trustees or area commission of a public or independent institution of higher learning, the enrollment is open to all students who are eligible to attend public school in the state. If the number of applications exceeds the capacity of a program, class, grade level, or building, students must be accepted by lottery, as specified in federal or state guidance. There is no appeal to the local school board of trustees.

The policies and procedures must not limit or deny admission or show preference to any individual group, except if the application is to create a single-gender charter school.

Enrollment priorities may include

- a sibling of a pupil currently enrolled and attending or who, within the last six years, attended the school for at least one complete academic year.
- children of charter school employees and children of the charter committee (these students may not exceed 20 percent of the enrollment of the charter school).
- For a public conversion school, admission priority must be given to all students enrolled in the school prior to the conversion and those that live in the attendance zone in future years.

Policies and procedures must include provisions to grant or deny permission for students to attend the charter school if they reside in a school district other than the one where the charter school is located. This is not applicable to schools sponsored by the SCPCSD or the board of trustees or area commission of a public or independent institution of higher learning.

- If a charter school denies admission to a student for reasons other than the results of a lottery, the student may appeal the denial to the sponsoring district. The decision will be binding on the student and the charter school.
- In-district students will be given priority.
- Out-of-district student enrollment must not exceed 20 percent of the total enrollment of the charter school without the approval of the sponsor's board of trustees. The sending district must be notified immediately of the transferring students. Out-of-district students must be considered on the basis of the order in which their applications are received.
- If the 20 percent of out-of-district students are from one school district, then the sending district must concur with any additional students transferring from that district to attend the charter school.

The application must describe how the charter school intends to ensure that the enrollment of the school reflects that of the local school district in which the charter school is located or that of the targeted student population of the local school district that the charter school proposes to serve, to be defined for the purposes of this chapter (S.C. Code Ann. § 59-40-50) as differing by no more than

twenty percent from that population. The application must demonstrate timely, fair, and realistic procedures for recruiting, registering, and admitting students that reflect the racial composition of the school district or the targeted school population.

If the sponsoring district is under a desegregation order or plan by the U.S. Department of Education's Office of Civil Rights, the applicant must provide assurance that the school will comply with the plan or order. To ensure compliance with a desegregation plan or order, the charter school applicant should request and receive a letter from the sponsor indicating whether the school will be subject to any desegregation plan or order.

For a prospective charter school that is subject to a desegregation plan or order, the application should demonstrate that the charter school's policies and procedures are in compliance with the desegregation plan or order. The school must request and receive an additional letter from the sponsor that indicates whether the charter school's proposed policies and procedures are in compliance with the desegregation plan or order in effect in the district or whether clarification must be received from the U.S. Department of Education's Office for Civil Rights.

Narrative Requirements

Include the following in this section:

- a description detailing how the proposed charter school intends to enroll students, including the proposed timeline to reach a diverse student population, processing of applications, lottery process if needed, and the appeal process for a student who is denied admission for a reason other than the lottery;
- an explanation of how the community will receive information about the formation of a new charter school and any upcoming lottery and enrollment deadlines;
- an explanation of the notification of placement and the timeline for parents to accept the placement or not;
- a definition of any group receiving priority enrollment in the lottery, as allowed by the South Carolina Charter Schools Law;
- an explanation of how the school intends to enroll out-of-district students, including estimated percentage of enrollment, notification to sending district, and approval procedures for receiving and sending districts (not applicable if applying with the SCPCSD as sponsor); and
- a description of how the proposed charter school intends to ensure that enrollment reflects that of the local school district in which the charter school is located or that of the targeted student population of the local school district that the charter school proposes to serve, to be defined for the purposes of this chapter as differing by no more than 20 percent from that population.

Appendix Documents

In the **appendices**, include the following corresponding information:

- Letter(s) from Sponsoring District Regarding Desegregation Plan or Order

Evaluation Criteria

A response that meets the standard will

- Include a **full, comprehensive** description of the enrollment procedures aligned with applicable state laws and regulations.
- Clearly describe how the school intends to ensure that the enrollment of the school reflects that of the local school district in which the charter school is located or that of the targeted student population of the local school district that the charter school proposes to serve, to be defined for the purposes of this chapter as differing by no more than 20 percent from that population.
- Provide assurance that the school will comply with any school district desegregation plan or order in effect.
- **Fully describe** the marketing of a lottery process and enrollment deadlines, placement notification, as well as priority enrollment.

Appendices have all items, and they are fully developed:

- Letter(s) from sponsoring district regarding desegregation plan or order

5. Educational Program

The charter school's educational program must include how it will meet or exceed the academic performance standards and expectations, including academic standards adopted by the State Board of Education and how the instructional design, learning environment, class size and structure, curriculum, and teaching methods enable each pupil to achieve these standards per S.C. Code Ann. § 59-40-60 (F)(5).

There should be a research basis for selecting a particular curriculum. In addition to obtaining information from the publisher, research is available online at ERIC (<http://www.eric.ed.gov>) and the What Works Clearinghouse (<http://ies.ed.gov/ncee/wwc/>). The research should support using the curriculum with the student body that the proposed school will likely attract, and benchmark assessments should be chosen to align with the curriculum.

All core content areas plus supplemental or elective areas should be described. If certain characteristics of the school culture are critical to the overall educational program (i.e., small school size, character education, and high expectations), the research basis should thoroughly support the unique educational program design.

Charter schools must provide evidence of increased student academic achievement for all groups of students described in Section 1111(b)(2)(C)(v) of the ESEA. Sponsors must use increases in student academic achievement for all students described in ESEA as the most important factor when determining to renew or revoke a school's charter. Sponsors and charters must enter a contractual agreement that student performance of all students described in ESEA is the most important factor when determining to renew or revoke a school's charter.

If the proposed charter school will serve high school grades, the charter school must offer a high school diploma program, which includes offering a course of study that will lead to the issuance of the state high school diploma. The proposed charter school's program must meet the state's requirements for the high school diploma, including, but not limited to, course unit requirements, seat time for Carnegie units, as applicable, and administration of the required examinations. Charter schools may provide a plan for providing proficiency credit in lieu of meeting the seat-time requirements for Carnegie units. Schools that wish to offer a proficiency-based system must submit a plan that provides procedures for establishing and developing a proficiency-based system, including the method for determining proficiency. Schools are accountable for making sure that the academic standards and the individual learning needs of the students are addressed.

Charter schools may not offer GED preparation programs as they do not meet the state requirements for a high school diploma program.

If the proposed charter includes virtual education, the application must describe how the charter school will comply with the legislative requirement that 25 percent of instruction will be delivered in "real time" (or regular instructional opportunities) and how much teacher interaction students will receive within the online instruction. The application must describe the process for curriculum alignment with the state standards, including a timeline. At least one course per grade level should be "live," meaning it can be previewed by the SCDE for curriculum alignment; so, a description of the

portal and how it works must be included in the narrative. See the “Online Course Review Instrument” (page 56), a rubric used to assess the curriculum’s alignment with the state standards. Lastly, the school must describe how it will comply with teacher requirements in S.C. Code Ann. § 59-40-50.

If the charter school is contracting with an external company for online curriculum delivery, the application must describe the company’s history in the field of virtual education and its success.

After approval of the charter school application, virtual schools must submit their courses for review in accordance with 2 S.C. Code Ann. Regs. 43-601. Note: the 2013 amendments to S.C. Code Ann. Regs. 43-601 transferred the responsibility for course approval to the sponsor.

Narrative Requirements

Include the following in this section:

- An introduction to the educational program that includes an overview of the curriculum and instructional design, the guiding educational philosophy, how the educational program aligns to the mission of the school, and how the education program will improve student achievement.
- A one-page chart or graphic organizer illustrating how the proposed educational program’s curriculum and instructional design support the mission of the school and increase student achievement.
- Explain how the charter school will meet or exceed the academic performance standards and expectations, including how the school will ensure alignment with the academic standards adopted by the State Board of Education. A correlation or other documentation must be included or process identified to ensure that the school will provide an instructional program that meets or exceeds the academic standards.
- Explain how the instructional design, learning environment, class size and structure, curriculum, and teaching methods will enable each pupil to achieve these standards per S.C. Code Ann. § 59-40-60 E(5).
- A description of how the educational program is research-based and data-driven including why the selected curriculum was chosen for the anticipated population of students.
- The plan to address the needs of struggling learners through a Response to Intervention (RTI) or other research-based child study process. Include a description of the proposed charter school's procedures for taking corrective action in the event that pupil performance falls below the achievement goals, including a timeline, responsible person(s), and staffing changes as appropriate.
- Include the method and courses to be offered for meeting or exceeding the South Carolina State High School Diploma requirements, if applicable.
- For virtual schools (complete only if the proposed charter school is a virtual or blended school)
 - a timeline of how curriculum development will be completed and approved by the SCDE,
 - a description of how the school will comply with the 25 percent “real time” requirement,
 - a description of how much teacher interaction students will receive within the online instruction, and
 - a description of the portal and how it works.

Appendix Documents

In the **appendices**, include the following corresponding information:

- school calendar and daily schedule for the Academic year (must reflect a minimum of 180 instructional days per year and six hours of instructional time per day, or its equivalent weekly (S.C. Code Ann. § 59-1-425)),
- virtual school list of courses (if applicable),
- supporting documents for the described educational program, and
- a list of the teaching positions, grade(s), and content areas the teachers will instruct and the required qualifications/certifications.

Evaluation Criteria

A response that meets the standard will

- Provide an introduction to the educational program that includes an overview of the curriculum and instructional design, the guiding educational philosophy, how the educational program aligns to the mission of the school, and how the education program will improve student achievement.
- Include a one-page chart or graphic organizer illustrating how the proposed educational program's curriculum and instructional design support the mission of the school and increase student achievement.
- Demonstrate how the charter school will meet or exceed the academic performance standards and expectations, including how the school will ensure alignment with the academic standards adopted by the State Board of Education. A correlation or other documentation must be included or process identified to ensure that the school will provide an instructional program that meets or exceeds the academic standards.
- Articulate how the instructional design, learning environment, class size and structure, curriculum, and teaching methods enable each pupil to achieve these standards. (S.C. Code Ann. § 59-40-60 E(5)).
- Provide evidence of how the educational program is research-based and data-driven including why the selected curriculum was chosen for the anticipated population of students.
- Include a plan to address the needs of struggling learners through a Response to Intervention (RTI) or other research-based child-study process. Includes a description of the proposed charter school's procedures for taking corrective action in the event that pupil performance falls below the achievement goals, including a timeline, responsible person(s), and staffing changes, as appropriate.
- Include the method and courses to be offered for meeting or exceeding the South Carolina State High School Diploma requirements, if applicable.
- For virtual schools (complete only if the proposed charter school is a virtual or blended school)
 - a timeline of how curriculum development will be completed and approved by the SCDE,
 - a description of how the school will comply with the 25 percent "real time" requirement,
 - a description of how much teacher interaction students will receive within the online instruction, and
 - a description of the portal and how it works.

Appendices have all items, and they are fully developed:

- school calendar and daily schedule for the academic year,
- virtual school list of courses (if applicable),
- supporting documents from the described educational program, and
- a list of the teaching positions, grade(s), and content areas the teachers will instruct and the required qualifications/certifications.

6. Goals, Objectives, and Evaluations

The charter school's goals, objectives, and academic performance standards must be clearly described in the application and must meet or exceed the academic performance standards and expectations, including academic standards adopted by the State Board of Education.

The charter school's goals and objectives, along with the strategies to meet such goals, must be clearly described in the application. While it is understood that before the school is established, there are no actual baseline test scores, attendance rates, or other data, an applicant can use the residential district average as a baseline and/or state that a baseline will be established in the first year of operation.

The proposed charter school should develop measures or indicators aligned with their mission for which they will be held accountable. These goals and objectives will be used to measure the progress of the school in advancing its mission. Such indicators may include school climate or culture. Be sure to include only realistic and achievable measures, as these additional indicators will become a part of the school's accountability plan.

A charter school application should include a clear plan for evaluating pupil performance across the curriculum. This plan should align with state performance standards, as well as with the school's pupil performance goals, and should be presented along with a clear timeline for achieving these standards/goals. A clear explanation of the types of assessments and frequency of administration should be included, reflecting the thoughtfulness given to tracking student progress while still preserving as much class learning time as possible. A plan for the use of data gathered through assessments should include procedures for taking corrective action (both individually and collectively) if pupil performance falls below expected standards.

A quality assessment plan will include summative (end-of-year) assessments and formative (more frequent, end-of-unit) assessments to track student skill and knowledge development. The plan should include how this data will be used to guide professional development of teachers as well as how this data will be used to guide refinement of the curriculum. When developing the assessment plan, consideration should be given to the appropriateness of assessments to the curriculum, what will serve as the baseline for student progress comparisons, and the inclusion of state and federal assessments to demonstrate appropriate student growth. See the SCDE website for the most recent student assessment information at <http://ed.sc.gov/agency/ac/Assessment/>.

Narrative Requirements

Include the following in this section:

- Goals that are appropriate and manageable and will provide evidence that the school is advancing its mission and meeting the purpose of S.C. Code Ann. § 59-40-20 including closing achievement gaps. Goals should be “SMART” (specific, measurable, attainable, realistic of the school's mission, and time-based).
- Measurable objectives with benchmarks (or state how and when a baseline will be established).
- Some, but not all goals and objectives should utilize standardized test data that aligns with the state (Report Cards) and federal (ESEA flexibility) accountability systems. Goals and

related objectives may include indicators for students served over multiple years to document growth and educational program outcomes.

- Strategies to meet the goals and objectives that reference the educational program section.
- A description of the diagnostic, formative, and summative assessments including state-mandated assessments with baseline data gathering and details on the types of assessments.
- A plan to monitor progress toward meeting the goals and objectives of the school and how the school will make modifications based on data, including revising and redirecting professional development and instruction.
- An explanation of data collection, analysis, and management.
- An explanation of how student assessment and progress will be communicated to parents, the sponsor, and the broader community.

Appendix Documents

No documents are needed here.

Evaluation Criteria

A response that meets the standard will:

- **Fully identify** goals that are appropriate, manageable, SMART, and aligned with the mission of the school along with meeting the purpose of S.C. Code Ann. § 59-40-20 including closing achievement gaps.
- Provide measurable objectives with benchmarks (or state how and when a baseline will be established) including some that align with the state (Report Cards) and federal (ESEA flexibility) accountability systems.
- Include strategies to meet the goals and objectives that reference the educational program section.
- Clearly document the diagnostic, formative, and summative assessments, including state-mandated assessments, to include baseline data-gathering types of assessments,
- **Clearly** describe a plan to monitor progress toward meeting the goals and objectives of the school and how the school will make modifications based on data including revising and redirecting professional development and instruction.
- Include an explanation of data collection, analysis, and management.
- Include an explanation of how student assessment and progress will be communicated to parents, the sponsor, and the broader community.

No appendices are required for this section.

7. Serving Students with Special Needs

As public schools, charter schools must open their enrollment to *any* student and must provide a free and appropriate public education (FAPE) by offering services as needed for students with disabilities. While charter schools have flexibility in teacher certification, special education certification **cannot** be waived. To ensure that a FAPE and a continuum of services, including transition and technical assistance, will be provided in the initial year of operation, the application must include either a budget that reflects the employment of at least one special education teacher starting with the initial year or the agreement reached for the provision of special education and related services between the school and the sponsor. The applicant's plan should follow the policy established by their proposed sponsor.

Narrative Requirements

Include the following in this section:

- a clear indication that the prospective charter school understands requirements of the Individuals with Disabilities Education Improvement Act (IDEA) of 2004, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and Title III of the Elementary and Secondary Education Act (ESEA) and plans to comply with these requirements, which includes appropriately certified personnel, documentation, assessments, adaptations, and modifications;
- a description of the plan to provide a variety of service delivery and placement options;
- plans for transitioning students out of special education;
- a description of the plan to include needed staff, adequate funding, evaluation of programs' success, flexibility to add contracted services, and specific services the sponsoring district is expected to provide for the initial year of operation; and
- a description of the plan to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in school or district activities.

Appendix Documents

In the **appendices**, include the following corresponding information:

- Agreement with Sponsoring District for Special Education Services (if applicable)

Evaluation Criteria

A response that meets the standard will:

- Include a clear indication that the prospective charter school understands requirements of the Individuals with Disabilities Education Improvement Act (IDEA) of 2004, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, and Title III of the Elementary and Secondary Education Act (ESEA) and plans to comply with these requirements, which includes appropriately certified personnel, documentation, assessments, adaptations, and modifications.
- Provide a description of the plan to provide a variety of service delivery and placement options.
- Include plans for transitioning students out of special education.

- Describe the plan to include needed staff, adequate funding, evaluation of programs' success, flexibility to add contracted services, and specific services the sponsoring district is expected to provide for the initial year of operation.
- Identify nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in school or district activities.

Appendices have all items, and they are fully developed:

- Agreement with sponsoring district for special education services (if applicable)

8. Student Conduct, Rights and Responsibilities

The charter school application must include a description of student rights and responsibilities, including behavior and discipline standards, and a reasonable hearing procedure. The application must set forth an appeal process for students recommended for expulsion that includes a right to appeal a decision to the charter school board.

The charter school application must include a policy governing student conduct, student rights and responsibilities, and student discipline standards and procedures. The policy must set forth disciplinary actions to be taken by the administration for breaches of the student conduct policy.

The application must set forth an assurance that the charter school will comply with S.C. Code Ann. § 59-63-235 (Supp. 2001), which provides for the expulsion of any student who brings a firearm to school.

The application must include an assurance that the charter school will comply with the Family Education Rights and Privacy Act (20 U.S.C. Section 1232).

The application must contain the explanation of the policies with regard to student conduct, rights, and responsibilities that will be given to parents and students at the beginning of the school year.

Note that under IDEA of 2004, the continued provision of FAPE for a student with a disability who is expelled from a public school remains with the LEA. The sponsor may have a policy or agreement with the charter schools within the LEA that puts the obligation on the school to ensure the continued provisions of a FAPE for expelled students. The SCDE, however, is required to hold the LEA responsible for the education of that student.

Narrative Requirements

Include the following in this section:

- a process and timeline for developing a student handbook and related policies,
- a description of student rights and responsibilities, including behavior and discipline standards and disciplinary actions to be taken by the administration for breaches of student conduct policy,
- a reasonable appeal process for students recommended for expulsion that includes a right to appeal a decision to the charter school board, including notice and hearing procedures for the board of directors of the charter school,
- ensure that the discipline policy **complies** with the Family Education Rights and Privacy Act (20 U.S.C. § 1232) (FERPA), and
- a process for addressing IDEA compliance regarding student discipline, suspension, and expulsion for students with IEPs and the continued provision of FAPE.

Appendix Documents

- A draft policy governing student conduct, student rights and responsibilities, and student discipline standards and procedures that meets state law. Include the hearing procedures for the charter board appeals process for students recommended for expulsion. Must also comply

with S.C. Code Ann. § 59-63-235, which provides for the expulsion of any student who brings a firearm to school. (if applicable)

Evaluation Criteria

A response that meets the standard will

- Include a process and timeline for developing a student handbook and related policies
- Describe the student rights and responsibilities.
- Provide a reasonable appeal process for students recommended for expulsion that includes a right to appeal a decision to the charter school board, including notice and hearing procedures for the board of directors of the charter school.
- Include a process for addressing IDEA compliance regarding student discipline, suspension, and expulsion for students with IEPs and the continued provision of FAPE.
- Ensure that the discipline policy **complies** with the Family Education Rights and Privacy Act (20 U.S.C. § 1232) (FERPA).

Appendices have all items, and they are fully developed:

- A draft policy governing student conduct, student rights and responsibilities, and student discipline standards and procedures that meets state law. Include the hearing procedures for the charter board appeals process for students recommended for expulsion. Must also comply with S.C. Code Ann. § 59-63-235, which provides for the expulsion of any student who brings a firearm to school. (if applicable)

9. Governance

The application should describe the process involved in developing the charter committee and the individual expertise represented on the committee. Charter school governance is extremely important to the success of a charter school. In most cases, the charter school's committee transitions to become the school's initial governing board.

Describe the model of governance for the proposed charter school. The application must include the process to appoint or elect the initial governing board; how and when bylaws will be or were adopted by the board; the governance structure for the school; and the amount of authority the governing board will convey to the school's administrator, along with a clear delineation of their respective roles and the means by which the administrator will be evaluated. Also, include in the application an explanation for ongoing board training and capacity building.

In compliance with the South Carolina Charter Schools Act (S.C. Code Ann. § 59-40-50 (B)(9)), the number of members on a charter school board cannot be less than seven but may be more as set by the bylaws. Members of a board of directors may serve a term of two years and may serve additional terms. A choice of the membership of the board must take place every two years. Fifty percent of the members of the board as specified by the bylaws must be individuals who have a background in K–12 education or in business, and the bylaws of the charter school also must provide for the manner of selection of these members. In addition, at least 50 percent of the members of the board, as specified by the bylaws, must be elected by the employees and the parents or guardians of students enrolled in the charter school. Parents or guardians shall have one vote for each student enrolled in the charter school. All members must be residents of the state of South Carolina. A person who has been convicted of a felony must not be elected to a board of directors. If the board of directors consists of an odd number of members, the extra member must be an individual who has a background in K–12 education or in business.

The charter school application must show evidence that the school has filed articles of incorporation and bylaws with the Secretary of State. The articles and bylaws define the authority that rests in the charter school governing board and, in essence, “who holds the charter.”

The application must include a statement that the proposed charter school and its governing body will comply with the Freedom of Information Act (FOIA) and specifically address policies regarding student records, administrative records, and meetings. For FOIA information, see <http://www.scstatehouse.gov/code/t30c004.php>.

Narrative Requirements

Include the following in this section:

- A brief profile of each member of the charter committee, including any leadership experience and credentials.
- A summary of the process in which the charter committee formed and developed the proposed school.
- A description of the model or philosophy of governance of the proposed charter school which will guide the board.

- Describe the authority of the charter committee to develop policies, make decisions, and execute each of the following responsibilities:
 - employing and contracting with teachers and nonteaching employees;
 - ensuring that all certified personnel, teachers, and noncertified teachers undergo background checks and other investigations before they are employed in the school;
 - contracting for other services including, but not limited to, transportation, accounting, and legal;
 - developing pay scales, performance criteria, and discharging policies for its employees, including the school's administrator;
 - deciding all other matters related to the school's operation, including budgeting, curriculum, and operating procedures; and
 - ensuring that the school will adhere to the same health, safety, civil rights, and disability rights requirements applicable to all public schools operating in the same school district.
- A plan for how a lead administrator will be hired and how the transition of leadership and charter committee responsibilities will happen.
- A plan for ongoing board training and capacity building aligned with the budget for board training.
- A description of the ongoing parent and community involvement in the governance of the school.

Appendix Documents

In the **appendices**, include the following corresponding information:

- Charter Committee—resumes of charter committee members
- Bylaws must reflect the SC Nonprofit Corporation Act and should clearly include:
 - The election process of the governing board, including when elections will occur and the voting procedures. Procedures should include that parents/legal guardians will have one vote for each student enrolled in the school. In addition, each employee will have one vote.
 - Detailed plan for dissolving the charter committee and instituting the first governing board. Procedures should specifically describe how nominations will be taken, when the vote will occur, how eligible voters will cast their ballots, and when training will be provided for these governing board members.
 - Explanation of powers and duties, size, terms, composition, qualifications, term limits, officer positions and duties, election procedure, vacancy replacement, minimum number on the board, quorum and decision-making process, how board members are elected or appointed, and when this takes place.
 - An explanation of the proposed board meeting frequency and focus, and the role of any standing subcommittees.
 - A description of the relationship between the governing board and the school administrator, which includes the amount of authority the governing board will convey to the school administrator.
 - A statement that the proposed charter school and its governing body will comply with the Freedom of Information Act (FOIA).
- Articles of Incorporation and signed Certificate of Incorporation.
- Organizational Chart (include school administration, employees, and the relationship to the sponsoring district).

Evaluation Criteria

A response that meets the standard will

- Include brief profile of each member of the charter committee, including any leadership experience and credentials.
- Summarize the process involved in developing the charter committee and the outreach it conducted; profiles are also provided.
- Provide a clear description of the model or philosophy of governance of the proposed charter school which will guide the board.
- Explain the authority of the charter committee to develop policies, make decisions, and execute each of the following responsibilities:
 - employing and contracting with teachers and nonteaching employees;
 - ensuring that all certified personnel, teachers, and noncertified teachers undergo background checks and other investigations before they are employed in the school;
 - contracting for other services including, but not limited to, transportation, accounting, and legal;
 - developing pay scales, performance criteria, and discharging policies for its employees, including the school's administrator;
 - deciding all other matters related to the school's operation, including budgeting, curriculum, and operating procedures; and
 - ensuring that the school will adhere to the same health, safety, civil rights, and disability rights requirements applicable to all public schools operating in the same school district.
- Provide how a lead administrator will be hired and how the transition of leadership and charter committee responsibilities will happen.
- Include a plan for ongoing board training and capacity building aligned to the budget line that includes board training.
- A description of the ongoing parent and community involvement in the governance of the school.

Appendices have all items and are fully developed:

- Charter committee resumes.
- Bylaws should clearly include the following:
 - A description of the election process of the governing board, including when elections will occur and the voting procedures. Procedures should include that parents/legal guardians will have one vote for each student enrolled in the school. In addition, each employee will have one vote.
 - A detailed a plan for dissolving the charter committee and instituting the first governing board. Procedures should specifically describe how nominations will be taken, when the vote will occur, how eligible voters will cast their ballots, and when training will be provided for these governing board members.
 - An explanation of the powers and duties, size, terms, composition, qualifications, term limits, officer positions and duties, election procedure, vacancy replacement, minimum number on the board, quorum and decision-making process, how board members are elected or appointed, and when this takes place.
 - An explanation of the proposed board meeting frequency and focus, and the role of any standing subcommittees.

- A description of the relationship between the governing board and the school administrator, which includes the amount of authority the governing board will convey to the school administrator.
 - A statement that the proposed charter school and its governing body will comply with the Freedom of Information Act (FOIA).
- Articles of Incorporation and signed Certificate of Incorporation.
- Organizational Chart (include school administration, employees, and the relationship to the sponsoring district).

10.Operations

The application should include a description of the operation of the charter school.

Narrative Requirements

Include the following in this section:

- An overview of the administrative and operational functions at the school including the roles, powers, and responsibilities. Explain how the capacity of the school's administrative team is tied to the mission, organizational sustainability, and student achievement.
- The capacity and experience of the school leadership and management team along with job descriptions of the administrative positions, including the school leader and any other administrative staff with a clear delineation of employee classification and who is responsible for employment decisions and oversight at each level.
- Any involvement with the replication of existing successful public charter schools.
- Any proposed management company or educational service provider responsibilities.
- The nature and extent of parental, professional educator, and community involvement in the operation of the charter school.
- A capacity building plan for leadership and staff development with funding reflected in the budget.
- School leader evaluation and succession plans.

Appendix Documents

In the **appendices**, include the following corresponding information:

- sample job descriptions (for administrators and key employees), and
- a detailed school start-up plan.

Evaluation Criteria

A response that meets the standard will

- Provide a clear overview of the administrative and operational functions at the school including the roles, powers, and responsibilities. It will explain how the capacity of the school's administrative team is tied to the mission, organizational sustainability, and student achievement.
- Document the capacity and experience of the proposed school leadership and management team along with job descriptions of the administrative positions, including the principal and guidance counselor, with a clear delineation of employee classification and who is responsible for employment decisions and oversight at each level.
- Document any involvement with the replication of existing successful public charter schools.
- Indicate any proposed management company or educational service provider responsibilities.
- Explain the nature and extent of parental, professional educator, and community involvement in the operation of the charter school.
- Provide a capacity building plan for leadership and staff development with funding reflected in the budget.
- Provide school leader evaluation and succession plans.

Appendices have all items, and they are fully developed:

- sample job descriptions (for administrators and key employees), and
- a detailed school start-up plan.

11. Budget and Finance

The application should provide evidence that the plan for the charter school is economically sound, a proposed budget for the term of the charter, and a description of the manner in which an annual audit of the financial and administrative operations of the charter school, including any services provided by the sponsor, is to be conducted.

The proposed budget should be based on reasonable estimates that reflect choices made throughout the rest of the charter application. In nearly all cases, the combination of facility costs, insurance, instructional materials, and staff salaries/benefits represents the bulk of spending in charter schools. As such, close attention should be paid to these areas. In addition to these areas, other items that need to be planned for financially include special education, various professional services, classroom supplies and materials, general supplies and materials, liability insurance, and more. The budget must be based on documented State Department of Education estimated revenues in accordance with the allocations in S.C. Code Ann. Section 59-40-140(A)-(C). Please contact Mellanie Jinnette at MJinnett@ed.sc.gov or Ann Castro at ACastro@ed.sc.gov to submit a request for a SCDE Per Pupil Estimate Review.

The budget and financial plan for the proposed charter school must include a five-year detailed budget and ten-year budget plan for revenues and expenditures. The plan should demonstrate diligent financial practices, clear alignment to the other components in the application, and strong oversight.

Provide documentation regarding the pupil accounting system, including evidence that the school will adhere to the procedures and regulations that are applied to public schools operating in South Carolina. The pupil accounting system must comply with the principles included in the *South Carolina Pupil Accounting Manual* and the *South Carolina Student Accountability Manual*, published by the SCDE at <http://ed.sc.gov/agency/cfo/finance/Financial-Services/ManualsandGuidelines.cfm>

Include a summary of any negotiated services to be provided by the proposed sponsor (local school district, the SCPCSD, or the institution of higher education/technical college), including but not limited to financial accounting, payroll services, food services, custodial services, maintenance, curriculum, library and media services, and warehousing.

In accordance with the South Carolina Charter Schools Act (S.C. Code Ann. § 59-40-50(B)(3)), a charter school must adhere to the same financial audits, audit procedures, and audit requirements as are applied to public schools. Also, in accordance with S.C. Code Ann. § 59-40-230(E)(10), a charter school must procure an outside annual certified financial audit on funds and submit it to the SCDE as required. As a charter school is a component unit of the sponsor, the audit report is required to be submitted to the sponsor to incorporate the school's audit report in the sponsor's audit report. Additionally, if a charter school receives more than \$750,000 in federal funding, the school is required to have a single audit.

Narrative Requirements

Include the following in this section:

- A description of the budget in terms of educational and operational priorities. Describe how your budget is aligned to the mission of your school and how resource allocations will be adjusted to meet the needs of the students and the long-term sustainability of the charter. Explain the school's data-driven decision-making process in regards to resource allocations.
- An explanation of how the school will remain fiscally solvent, adhere to generally acceptable accounting practices, have no material breaches, address any financial concerns, and follow the South Carolina pupil accounting system, auditing, and reporting procedures.
- A description of how the school will maintain its books and records according to generally accepted accounting principles and will create an appropriate system of internal control.
- A description of planned client subcontracts to outside providers (if applicable).
- A description of the process the school will follow to contract with a certified public accountant to conduct an annual, independent financial audit and to disseminate the results from the audit to the school district and required state agencies.

Appendix Documents

In the **appendices**, include the following corresponding information:

- Student Enrollment Projection Form (template provided by the SCDE).
- SCDE Per Pupil Estimate Review
- Five-Year Detailed Budget (an Excel spreadsheet showing realistic assumptions and their basis, a cash-flow projection of operation, minimum enrollment needed for solvency, and adequate staffing that fits with the application narrative in educational plan and other related sections). **Do not save as a pdf.**
- Ten-Year Budget Plan (an Excel spreadsheet). **Do not save as a pdf.**
- Memorandums of Agreement for Negotiated Services (for any negotiated services to be provided by the sponsor or a third party, if applicable).
- Documentation of any "soft funds," such as grant money or donations that have been received or are likely to be received.

Evaluation Criteria

A response that meets the standard will

- Describe the budget in terms of educational and operational priorities. Describe how your budget is aligned to the mission of your school and how resource allocations will be adjusted to meet the needs of the students and the long-term sustainability of the charter. Explain the school's data-driven decision-making process in regards to resource allocations.
- Explain how the school will remain fiscally solvent, adhere to generally acceptable accounting practices, have no material breaches, address any financial concerns, and follow the South Carolina pupil accounting system, auditing, and reporting procedures.
- Describe how the school will maintain its books and records according to generally accepted accounting principles and will create an appropriate system of internal control.
- Describe how the planned client subcontracts to outside providers (if applicable).
- Describe the process the school will follow to contract with a certified public accountant to conduct an annual, independent financial audit and to disseminate the results from the audit to the school district and required state agencies.

Appendices have all items, and they are fully developed:

- Student Enrollment Projection Form (template provided by the SCDE).
- SCDE Per Pupil Estimate Review
- Five-Year Detailed Budget (an Excel spreadsheet showing realistic assumptions and their basis, a cash flow projection of operation, minimum enrollment needed for solvency, and adequate staffing that fits with the application narrative in educational plan and other related sections). **Do not save as a pdf.**
- Ten-Year Budget Plan (an Excel spreadsheet). **Do not save as a pdf.**
- Memorandums of Agreement for Negotiated Services (for any negotiated services to be provided by the sponsor or a third party, if applicable).
- Documentation of any “soft funds,” such as grant money or donations that have been received or are likely to be received.

12. Employees

The application must provide an explanation of the relationship that will exist between the charter school and its employees. This must include evidence that the terms and conditions of employment are addressed with affected employees and their recognized representative, if any. In addition, proposed employment policies should be included. If the charter will contract with an EMO, the relationships between the school and the employees must be clearly stated in the application.

As charter schools are, by statute, public schools, employees of charter schools are public employees. Charter schools and their employees can, but are not required to, participate in the state retirement fund. **If a charter contracts with an EMO, then those employees are not considered public employees and therefore do not qualify for state retirement or benefits.**

Charter school law provides flexibility in hiring teachers, allowing a newly created charter school to hire noncertified teachers, not to exceed 25 percent of its faculty. A converted charter school may hire noncertified teachers, not to exceed 10 percent of its faculty. However, a teacher of a core academic area (English/language arts, mathematics, science, music, art, or social studies) must be certified in that area or must hold a baccalaureate or graduate degree in that subject and meet the Highly Qualified requirements of ESEA. A noncertified teacher must be appropriately qualified for the subject matter taught, must have completed at least one year of study at an accredited college or university, and must meet the qualifications outlined in S.C. Code Ann. § 59-25-115. Elementary certified teachers may teach in any academic area and in any grades allowable by the status of their certification.

Charter schools must adopt an evaluation program for teachers and principals that meet the requirements of the SCDE's ESEA Flexibility Waiver (see <http://ed.sc.gov/agency/pi/ESEAFlexibility.cfm>).

The application must include a description of a reasonable grievance and termination procedure, including notice and a hearing before the governing body of the charter school. The application must state whether or not the provisions of Article 5, Chapter 25, Title 59 apply to the employment and dismissal of teachers at the charter school.

Teacher Employment and Dismissal Procedures

1. If the school will adopt the procedures for the employment and dismissal of teachers outlined in S.C. Code Ann. § 59-25-410 *et seq.* (2004), include a letter of agreement from the sponsor as appendix item T.
2. If the school does not adopt the procedures outlined in S.C. Code Ann. § 59-25-410 *et seq.* (2004), explain the school's employment and termination procedures that will provide for notice and a right to a hearing before the governing board.

Narrative Requirements

Include the following in this section:

- A description of the process to be used to advertise for, select, and employ instructional staff and other employees.

- A statement asserting that at least one member of the administrative staff will hold a current SC certification of administration or will have at least one year of experience in the field of school-based administration.
- A description of the proposed evaluation process. Charter schools may use SAFE-T (ADEPT and PADEPP) or another evaluation system that complies with the state's ESEA Flexibility Waiver requirements such as TAP.
- An explanation of how the school will communicate its employment policies and any policy changes.
- A description of the grievance and termination procedure for the charter school's employees.

Appendix Documents

In the **appendices**, include the following corresponding information:

- Letter of Agreement from Sponsor Regarding Compliance with S.C. Code Ann. § 59-25-410 *et seq.* (2004), if applicable

Evaluation Criteria

A response that meets the standard will include the following:

- A clear description of the process to be used to advertise for, select, and employ instructional staff and other employees.
- A clear statement asserting that at least one member of the administrative staff will hold a current SC certification of administration or will have at least one year of experience in the field of school-based administration.
- A complete description of the proposed evaluation process. Charter schools may use SAFE-T (ADEPT and PADEPP), another evaluation system that complies with the state's ESEA Flexibility Waiver requirements such as TAP.
- An explanation of how the school will communicate its employment policies and any policy changes.
- A description of the grievance and termination procedure for the charter school's employees.

Appendices have all items, and they are fully developed:

- Only if applicable, a Letter of Agreement from Sponsor Regarding Compliance with S.C. Code Ann. § 59-25-410 *et seq.* (2004)

13. Insurance Coverage

The application must include a description of the types and amounts of insurance coverage to be obtained by the charter school. The application must address, but is not limited to, the following types of insurance: workers' compensation, liability, property, indemnity, and automotive. **All requirements should be placed in the appendices.**

Narrative Requirements

All requirements for this section will be in the appendices.

Appendix Documents

In the **appendices**, include the following corresponding information:

- Include a description of workers' compensation insurance and the amounts.
- Include a description of liability insurance and the amounts to be obtained by the charter school. The minimum policy must cover the limits of the South Carolina Tort Claims Act (S.C. Code Ann. § 15-78-120 (Supp. 2013)).
- Include a description of the insurance to cover loss to the school building and contents for fire and theft.
- Include a description of indemnity insurance against civil and criminal liability for the charter school to protect the sponsor, the members of the board of the sponsor, and the employees of a sponsor acting in their official capacity with respect to all activities related to the charter school.
- Include a description of automobile insurance and both property and liability insurance.
- Indicate whether the charter school will obtain any other type, or types, of insurance. For each type, include a description and estimated cost of coverage.
- Insurance Documents—for each type of insurance listed, a statement from a South Carolina–licensed insurance company or the state insurance reserve fund stating the charter school applicant's ability to secure the insurance and an estimate of the cost of the insurance, if available.

Evaluation Criteria

A response that meets the standard will have all items fully developed in the appendices.

Include all of the following required components for charter school insurance coverage:

- Worker's compensation insurance
- Liability insurance that covers limits of SC Tort Claims Act
- Property insurance
- Indemnity insurance
- Automobile insurance for property and liability
- Other type(s) of insurance

Appendices include statements from licensed SC insurance companies verifying applicant's insurance with cost.

14. Transportation

The application must include a description of how the charter school intends to meet the transportation needs of its pupils. If the charter school will provide transportation by school bus, the application must include a plan that complies with the state requirements for drivers and training and the state safety requirements for school buses. If the charter school intends to contract with the district or a third party for transportation services, a description of those services and a proposed contract must be provided in the application. A charter school is not required to provide or facilitate transportation for students. If the lack of transportation is preventing students from attending, the charter school should provide a plan to address their transportation needs.

Narrative Requirements

Include the following in this section:

- a description of how the proposed charter school plans to address the transportation needs of its students and, in particular, if the lack of transportation is preventing a child from attending school,
- a description of the plan if the school is providing transportation by school bus (must comply with state regulations for driver and training and the state safety requirements for school buses), and
- a description of the service if the school intends to contract with the local school district or a third party.

Appendix Documents

In the **appendices**, include the following corresponding information:

- Transportation Services Contract (if applicable)

Evaluation Criteria

A response that meets the standard will

- Describe how the proposed charter school plans to address the transportation needs of its students and, in particular, if the lack of transportation is preventing a child from attending school.
- Provide a plan if the school is providing transportation by school bus (must comply with state regulations for driver and training and the state safety requirements for school buses).
- Describe the contracted services if the school intends to contract with the local school district or a third party.

Appendices have all items, and they are fully developed:

- Transportation services contract (if applicable)

15. Facilities

Charter schools may rent, lease, own, or otherwise finance facility space. In some cases, a school district may have an unused facility; in other cases, a charter school may share space with another tenant. With any facility, building permits, inspections, and a certificate of occupancy are required from the SCDE's Office of School Facilities (OSF) as the building official for all public schools. All facilities must meet applicable building codes, and the OSF is available to review and discuss proposed facilities to evaluate code and other life safety requirements. In addition, contact your community's planning and zoning department for necessary land-use permits and requirements.

Charter schools are required to comply with all traffic management regulations. SC Department of Transportation (SCDOT) School Traffic Engineering will visit and evaluate your site and provide you with traffic requirements for your school traffic. The evaluation may require a traffic study and the charter school is responsible for all costs associated with necessary improvements such as road widening and addition of traffic lanes.

Narrative Requirements

Include the following in this section:

- A description of the building, facilities, and equipment that will be used to support the proposed curriculum and an explanation as to how the equipment will be obtained.
- If a facility has been identified, include the address of the facility, a description of the facility, and the name and address of the owner of the facility.
- If a facility has not been identified, specify a plan for obtaining such a facility and include a description of the facility needs, a statement as to whether an existing facility will be remodeled or a new facility will be built, and a schedule for completing or obtaining a suitable facility and, if applicable, a description of and timeline for any plan to raise funds for completing or obtaining the facility.

Appendix Documents

In the **appendices**, include the following corresponding information:

- Floor Plan of Identified Facility, including size in square footage (if applicable)
- Proposed Lease or Rental Agreement (if applicable)
- Documentation from the SCDE's Office of School Facilities (if applicable)
- Documentation from SCDOT School Traffic Engineering (if applicable)

Evaluation Criteria

A response that meets the standard will

- Describe the building, facilities, and equipment needs, and there is a detailed plan for how they will be obtained.
- If a facility **has been identified**, application includes the address of the facility, a description of the facility, and the name and address of the owner of the facility.
- If a facility **has not been identified**, application specifies a detailed plan for obtaining such a facility and include a description of the facility needs, a statement as to whether an existing facility will be remodeled or a new facility will be built, and a schedule for completing or obtaining a suitable facility and, if applicable, a description of and timeline for any plan to raise funds for completing or obtaining the facility.

Appendices include all items **only if a facility is identified**:

- Floor plan of facility
- Proposed lease or rental agreement
- Documentation from the SCDE's Office of School Facilities (OSF)
- Documentation from SCDOT

16. Education/Charter Management Contracts

Complete this section only if the proposed charter school intends to contract with an EMO/CMO. It is important for the charter school's committee to research their EMO/CMO options if they intend to contract with an EMO for the proposed charter school.

The application must contain evidence that the selected EMO/CMO is authorized to conduct business in South Carolina. The application should include how and why the EMO/CMO was selected and should present detailed evidence of the EMO's/CMO's success in serving student populations similar to the targeted student population, including demonstrated academic achievement as well as successful management of non-academic school functions (e.g., back-office services, school operations, extra-curricular programs). If the EMO/CMO does not have other schools open under their portfolio, please explain why you believe this EMO/CMO could run a high-quality charter school.

The application should describe the duration of the proposed contract and define the roles and responsibilities of the EMO/CMO in relation to the charter school's board of directors and the employment of school personnel, specifically the Head of School. The scope of services and resources to be provided by the EMO/CMO should be included, along with the fees to be paid to the EMO/CMO for those services. Describe the conditions for renewal and termination of the contract.

Narrative Requirements

Include the following in this section only if the proposed charter school intends to contract with an EMO or a CMO:

- Evidence that the service provider has successfully managed other schools, if applicable.
- Evidence that the other schools managed by the proposed service provider have demonstrated academic achievement for similar targeted student populations
- A term sheet for the proposed management of the charter school with clear performance measures and contract severance provision(s)
- A statement detailing what type of evidence that the EMO/CMO is authorized to conduct business in South Carolina is included in Appendix X
- A description that conveys clear understanding of financial obligation to the EMO/CMO and whether it increases, decreases, or stays the same for the duration of the relationship, including building ownership if the developers are making payments to the EMO/CMO

Appendix Documents

In the **appendices**, if applicable, include the following corresponding information:

- Proposed EMO/CMO contract
- Copy of EMO's/CMO's SC business license
- Draft copy of employee contract
- Copy of the EMO/CMO employee policy manual

Evaluation Criteria

A response that meets this standard will

- The application provides strong evidence that shows that the service provider has successfully managed other charter schools and has demonstrated strong academic achievement for similar student populations.
- The application includes a term sheet for management of the charter school that fully outlines both performance measures and contract severance provisions.
- The application includes a statement of authorization of the EMO/CMO to conduct business in SC and the financial obligation of the charter to the EMO/CMO.

Appendices have all items, and they are fully developed:

- evidence that the EMO/CMO is authorized to conduct business in SC, and
- proposed EMO/CMO contract.

D. Application Appendices

Include a table of contents as the first page of the appendices.

All appendices must be saved as separate files. Appendix P, Five-Year Budget, and Appendix Q, Ten-Year Budget Plan, should only be saved as a Microsoft Excel files. All other appendices must be saved as PDF documents.

The first appendices document is the Signature Certification Page. Print the Signature Certification Page (page 51) and obtain the appropriate signatures from the chair of the charter committee. Note: this form includes certification of the SCDE Statement of Assurances for Charter Schools. Retain the copy of the statement of assurances included in this RFP (pages 49–50) for your records and ensure that each signatory has a copy of the document. By signing the Signature Certification Page, the signatories assure that they will comply with all the assurances for public charter schools in South Carolina. The sponsor representative and the charter school committee chair will sign the bottom of this form after the school is approved.

Once completed, include a copy per the instructions on page 4. **Applications that do not include the signed Signature Certification Page will not be reviewed or considered for approval.**

The following table presents the appendix items that correspond to specific sections of the application. Applicants are encouraged to use this table to ensure that their application includes all required appendix items.


Section	Appendix Corresponding to Narrative Section
i. Required application form	A. Signature Certification Page
1. Executive Summary	No appendix items required
2. Mission Statement	No appendix items required
3. Evidence of Need and Support	B. Evidence of Support C. (if applicable) Conversion School Support D. (if applicable) Private School Documentation
4. Enrollment	E. Letter(s) from Sponsoring District Regarding Desegregation Plan or Order
5. Educational Program	F. School Calendar and Daily Schedule for the Academic Year G. (if applicable) Virtual School List of Courses H. Supporting documents for the described Educational Program I. List of Teaching Positions
6. Goals, Objectives, and Evaluations	No appendix items required
7. Serving Students with Special Needs	J. (if applicable) Agreement with Sponsoring District for Special Education Services
8. Student Conduct, Rights and Responsibilities	K. Draft Discipline Policy (if applicable)
9. Governance	L. Charter Committee M. Bylaws N. Articles of Incorporation O. Organizational Chart (school administration, employees, and relationship to district)
10. Operations	P. Sample Job Descriptions Q. School Start Up Plan
11. Budget and Finance	R.. School Enrollment Projection Form S. SCDE Per Pupil Estimate Review T. Five-Year Budget (Excel spreadsheet) U. Ten-Year Budget Plan (Excel Spreadsheet) V. (if applicable) Memorandums of Agreement for Negotiated Services (sponsor or any third party) W. Documentation of Any “Soft Funds”
12. Employees	X. Letter of Agreement from Sponsor Regarding Compliance with S.C. Code Ann. § 59-25-410 <i>et. seq.</i> (2004)
13. Insurance Coverage	Y. Workers’ Compensation Insurance Description and Amounts Z. Applicable Insurance Documentation
14. Transportation	AA. (if applicable) Transportation Services Contract

15. Facilities	BB. (if applicable) Floor Plan of Identified Facility CC.(if applicable) Proposed Lease or Rental Agreement DD. (if applicable) Documentation from the SCDE's Office of School Facilities EE. Documentation from SCDOT School Traffic Engineering (if applicable)
16. School Management Contracts	FF. (if applicable) Proposed EMO/CMO Contract GG. (if applicable) Copy of EMO/CMO SC Business License HH. (if applicable) Draft Copy of Employee Contract II. (if applicable) Copy of EMO/CMO Employee Policy Manual

Sample Online Application Pages

Application Cover Page

Access the form at <http://ed.sc.gov/agency/ie/School-Transformation/Charter-Special-Focus> (under the section titled “Important Charter School Information”).

 SOUTH CAROLINA STATE DEPARTMENT OF EDUCATION	South Carolina Public Charter School Application Cover Page
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Applicant Information

Name of Proposed Charter School: Click here to enter text.
Mailing Address (if known): Click here to enter text.
City: Click here to enter text.
State: Click here to enter text.
Zip Code: Click here to enter text.
Name of Applicant Group: Click here to enter text.
FEIN: Click here to enter text.

Contact Information

Enter the name and contact information for the person to be contacted regarding this application.

Title: (select one) Choose an item.
First Name: Click here to enter text.
Last Name: Click here to enter text.
Title/Position: Click here to enter text.
Mailing Address: Click here to enter text.
City: Click here to enter text.
State: Click here to enter text.
Zip Code: Click here to enter text.
Phone Number: Click here to enter text.
Cell Number: Click here to enter text.
E-mail: Click here to enter text.
Fax Number: Click here to enter text.

Additional Information About Proposed Charter School

Grade levels during opening year: Click here to enter text.
Grade levels at full student matriculation: Click here to enter text.
Sponsor Name: Click here to enter text.



Statement of Assurances for Charter Schools

For informational purposes only. The applicant certifies to abide by these assurances by signing and submitting the Signature Certification Page. Keep a file copy of both documents.

As the authorized representative of the applicant group, I hereby certify under the penalties of perjury that the information submitted in this application for [(name of school)] is true to the best of my knowledge and belief; and further, I understand that, if awarded a charter, the school and its governing board

- A. Will comply with all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, or need for special education services. S.C. Code Ann. § 59-40-40(2)(b)
- B. Will not charge tuition or other charges of any kind except as may be allowed by the sponsor and is comparable to the charges of the local school district in which the charter school is located. S.C. Code Ann. § 59-40-40(2)(d)
- C. Will adhere to the same health, safety, civil rights, and disability rights requirements as are applied to other public schools operating in the same school district or, in the case of the South Carolina Public Charter School District (SCPCSD) or a public or independent institution of higher learning, the local school district in which the charter school is located. S.C. Code Ann. § 59-40-50(B)(1)
- D. Will meet, but may exceed, the same minimum student attendance requirements as are applied to public schools. S.C. Code Ann. § 59-40-50(B)(2)
- E. Will adhere to the same financial audits, audit procedures, and audit requirements as are applied to public schools. S.C. Code Ann. § 59-40-50(B)(3)
- F. Will report to its sponsor and the South Carolina Department of Education (SCDE) documentation of the appropriate use of federal funds the charter school may receive.
- G. Will use the same pupil accounting system as required of public schools and districts.
- H. Will employ noncertified teachers in a ratio of up to 25 percent of its entire teaching staff (10 percent for conversion schools). All teachers in core academic areas will be highly qualified as defined in the Elementary and Secondary Education Act (ESEA). S.C. Code Ann. § 59-40-50(5)
- I. Will employ one administrative staff member who is certified or experienced in the field of school administration. S.C. Code Ann. § 59-40-50(6)

- J. Will be secular in its curriculum, programs, governance, and all other operations. S.C. Code Ann. § 59-40-40(1)
- K. Will comply with the Freedom of Information Act. S.C. Code Ann. § 59-40-50(10)
- L. Will comply with the ESEA legislation and applicable provisions of the SCDE's ESEA waiver.
- M. Will adhere to all provisions of reporting student truancy, discipline incidents, and persistently dangerous situations as required by ESEA.
- N. Will assume liability for the activities of the charter school and will indemnify and hold harmless the school district, its servants, agents, and employees from any and all liability, damage, expense, causes of action, suits, claims, or judgments arising from injury to persons or property or otherwise which arises out of the act, failure to act, or negligence of the charter school, its agents and employees, in connection with or arising out of the activity of the charter school. S.C. Code Ann. § 59-40-60(F)(15)
- O. Will report to its sponsor and the SCDE any changes to information provided under its application in a timely manner. S.C. Code Ann. § 59-40-140(H)
- P. Will report at least annually to its sponsor and the SCDE all information required by the sponsor and by the SCDE, including, at a minimum, the number of students enrolled in the charter school, the success of students in achieving the specific educational goals for which the charter school was established, and the identity and certification status of the teaching staff. S.C. Code Ann. § 59-40-140(H)
- Q. Will adhere to all provisions of federal law relating to students with disabilities, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990 that are applicable. S.C. Code Ann. § 59-40-50(B)(1)
- R. Will adhere to all provisions of federal law relating to students who are limited English proficient (LEP), including Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act of 1974. S.C. Code Ann. § 59-40-50(B)(1)
- S. Will comply with S.C. Code Ann. § 59-63-235 (2004), which provides for the expulsion of any student who brings a firearm to school.
- T. Will comply with the Family Education Rights and Privacy Act (20 U.S.C. § 1232).
- U. Will comply with any school district desegregation plan or order in effect. S.C. Code Ann. § 59-40-60(F)(9)
- V. Will adhere to all requirements of the Office of School Facilities as detailed in the Charter School Facilities Approval Form.
- W. Understand that, as a charter, we gain autonomy to make decisions in exchange for accountability to our authorizer.



Signature Certification Page

Name of Proposed
School: _____

Mailing Address (if
known): _____

City, State, Zip Code: _____

Name of Applicant
Group: _____

Sponsor (local school district board, SCPCSD, or institution of higher education/technical college) Name: _____

Certification: I hereby certify that, to the best of my knowledge, the information and data contained in this application are true and correct. The applicant's governing body has duly authorized this application and documentation, and the applicant will comply with the South Carolina Public Charter School Statement of Assurances if the charter school is approved.

Signature of Charter School Committee Chair

Date

Authorization: We hereby certify that this charter application has been duly authorized by the sponsor listed above. This authorization indicates that the terms of this application constitute a contractual agreement between the two organizations represented below pursuant to Section 59-40-60 of the South Carolina Charter School Act (1996). According to state and federal guidelines, charter schools must provide evidence of improved student academic achievement for all groups of students described in Section 1111(b)(2)(C)(v) of the Elementary and Secondary Education Act (ESEA). Sponsors must use increases in student academic achievement for all groups of students described in Section 1111(b)(2)(C)(v) of the ESEA as the most important factor when determining to renew or revoke a school's charter. Each sponsor and charter school must enter a contractual agreement stating that student performance of all students described in Section 1111(b)(2)(C)(v) of the ESEA is the most important factor when determining to renew or revoke a school's charter.

Charter School Committee Chair Name: _____

Signature

Date

Sponsor Representative Name: _____

Signature

Date



Sample Form: Access the form at <http://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/charter-school-application-information/>

Student Enrollment Projections for 10-Year Charter

Name of Charter School _____

GRADE	2017–18	2018–19	2019–20	2020–21	2021–22	2022–23	2023–24	2024–25	2025–26	2026–27
Pre-Kindergarten										
Kindergarten										
First										
Second										
Third										
Fourth										
Fifth										
Sixth										
Seventh										
Eighth										
Ninth										
Tenth										
Eleventh										
Twelfth										
TOTALS										

Charter School Facilities Approval Process

Effective January 1, 2014

All charter schools must construct and maintain facilities that meet all the requirements of the latest edition of the *South Carolina School Facilities Planning and Construction Guide (Guide)*. The Office of School Facilities (OSF) cannot waive requirements of building, fire, or other applicable codes and regulations.

In accordance with state statute and regulation, all schools must contract with South Carolina–licensed design professionals to provide construction documents, code, zoning and land-use analysis, transportation analysis, and other professional services as needed. Additionally, accessory buildings considered Assembly Occupancies by the codes, such as auditoriums and gymnasiums, require the services of licensed design professionals.

The charter school is responsible for all roadway improvements required by the SCDOT, including, but not limited to, road widening, intersection realignment, creation of turn lanes, and signaling. Traffic studies at the expense of the school may be required to determine requirement, and traffic improvements may extend to intersections beyond the actual school site. The charter school is responsible for any additional property and cost required for roadway improvements to the property.

Responsibilities of the Charter School:

1. Contact the OSF for information to set up a school account to include school name, contact information, and proposed opening date.
2. Contact the OSF to schedule a site evaluation visit for your proposed school site.

Submittal Process by the Architect:

1. The architect must submit plans in accordance with the process in the *Guide*.
2. All local ordinances and regulations, including zoning ordinances, must be met in addition to state regulations, such as SCDHEC Food Services requirements. Approval of plans by permitting authority is required prior to final plan approval by the OSF. Consult the *Guide* for additional information on permitting.
3. Bidding cannot begin until the charter school has received final approval on the construction documents. This approval will serve as the building permit for the project.

Construction Process:

1. All projects will require inspections by independent, third-party vendors in addition to the inspections performed by the OSF. Consult the *Guide* for this procedure.
2. **Occupancy of the charter school cannot occur until OSF has issued a Certificate of Occupancy. This includes teachers setting up classrooms and student orientation.**

Questions and submissions to the OSF concerning charter schools should be directed to:

Pat Hinson

Office of School Facilities
SC Department of Education
1429 Senate Street, Suite 1114
Columbia, SC 29201
Tel: 803-734-4836
Fax: 803-734-4857
E-mail: phinson@ed.sc.gov

SC Virtual School Curriculum Review Information

S.C. Code Ann. § 59-40-65 requires that the South Carolina Department of Education (SCDE) review and approve online courses that are used by charter schools. Each course must meet or exceed the South Carolina content and grade-specific standards.

The Office of Virtual Education uses the South Carolina Academic Standards. These standards can be found on the SCDE's website at <http://ed.sc.gov/agency/ccr/Standards-Learning/>. The office also supplies the schools with an electronic file that is used in the review process.

The standards document is given to the school and to the reviewers. The school conducts a self-evaluation and documents the alignment of their lessons to the standards. After the completion of the self-evaluation, we then forward this information to our reviewers.

The South Carolina Virtual School (SCVS) Program Online Review Instrument is included in the review process (see attached file). The main purpose of the course review instrument is to provide consistency and reliability to the online classroom course structure. The instrument provides ratings and suggestions from the student perspective. The North American Council for Online Learning (NACOL) has similar documents that they use for reviewing online course material. The organization uses review instruments to ensure that the online learning environment is one where the child is actively engaged and excited about the format of the curriculum.

The course review instrument is only used for informational purposes and not for approval of courses.

Please view the following link for more information on NACOL:

<http://www.inacol.org/resources/publications/national-quality-standards/>

After the standards document and the SCVS Program Online Review Instrument is completed for a course, the Curriculum Coordinator for the Office of Virtual Education examines the reviewer's comments and suggestions, which is shared with the schools via Google Docs.

Online Course Review Instrument

The purpose of the course review instrument is to provide consistency and reliability to the online classroom course structure. The instrument provides ratings and suggestions from the student perspective. The course review instrument is only for informational purposes, and it is recommended that schools use this information to strive to improve their curriculum.

Rating Scale:

Absent: component is missing (0)

Unsatisfactory: needs significant improvement (1)

Somewhat satisfactory: needs targeted improvements (2)

Satisfactory: discretionary improvement needed (3)

Very satisfactory: no improvement needed (4)

Content: S.C. Code Ann. § 59-18-300—The standards must be reflective of the highest level of academic skills at each grade level with the rigor necessary to improve the curriculum and instruction in South Carolina’s schools so that students are encouraged to learn at unprecedented levels . Course content is aligned to SC academic standards.	
Course, unit, and lesson goals/objectives are clearly expressed.	
Course syllabus is provided.	
Course content is aligned to desired learning outcomes (goals/objectives).	
Course content is rigorous.	
Course content is flexible allowing teacher/student choice.	
Course content is divided into manageable units or modules.	
Course content is delivered in a variety of media aligned with desired learning outcomes.	
Course content is free of factual errors.	
Course content is free of typographical, grammatical, and spelling errors.	
Resources are provided for remediation and extended learning.	
Activities and Assignments:	
Course includes a variety of activities and assignments to address multiple learning styles.	
Course activities and assignments are aligned to desired learning outcomes (goals/objectives).	
Course activities and assignments allow teacher/student choice.	
Performance expectations for activities and assignments are communicated clearly.	
The number of activities and assignments are appropriate so the workload is reasonable.	

Assessments:	
Frequent assessments provide targeted feedback.	
Course includes a variety of assessments to address multiple learning styles.	
Course assessments are aligned to desired learning outcomes.	
Course assessments are customizable allowing teacher/student choice.	
Web Design:	
Course navigation is intuitive and user-friendly.	
Long scrolling is minimized or aided by anchor links.	
All pages are formatted to prevent horizontal scrolling.	
Fonts and bullet lists are consistent throughout the course.	
Fonts are readable and follow Web conventions (no underlining, font size indicates heading level, etc.).	
Links are descriptive and labels are consistent with the destination headings and content.	
Links are functional.	
Interactive multimedia are designed to maximize user control.	
Appropriate and convenient technical support is available.	
Print Materials:	
Printed course materials are free of all errors.	
Links to printable course materials are descriptive and consistent with destination files.	
Links to printable course materials are functional.	
Technology Integration:	
Technology is used as a means of content delivery.	
Technology is used for collaboration within or outside of the online classroom.	
Technology is used for information queries.	
Technology is used for problem-solving.	
Technology is used for product development.	
Comments:	